

\*\*\**This is a Court-Authorized Notice, Not a Solicitation from a Lawyer*\*\*\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
PLANO DIVISION

Exhibit 11

KEVIN CERVENKA, individually and on  
behalf of all others similarly situated

*Plaintiffs,*

v.

JUMPP LOGISTICS, LLC and COUCH  
GOAT QUANDRY, LLC

*Defendants.*

No. 4:21-cv-00813-SDJ

NOTICE OF YOUR RIGHT TO JOIN A  
COLLECTIVE ACTION SEEKING  
RECOVERY OF WAGES

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**INFORMATION ABOUT YOUR RIGHT TO JOIN A COLLECTIVE ACTION**

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TO: All current and former delivery drivers who were classified as independent contractors while driving for Jumpp Logistics, LLC and Couch Goat Quandry, LLC (collectively, "Jumpp") at any time during the past three years.

RE: Notice of your right to join a collective action lawsuit seeking recovery of unpaid wages

**DEADLINE TO RETURN SIGNED CONSENT FORM: [REDACTED]**

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**1. Why Am I Receiving This Notice?**

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You received this Notice because the Court assigned to this lawsuit approved this Notice to be sent to persons who are identified by Jumpp's records as a current or former delivery driver for Jumpp who was Jumpp classified as an independent contractor.

**You are eligible to join this lawsuit if:**

- You are (or were) a delivery driver who was classified as an independent contractor by Jumpp at any between May 31, 2019 and today

This notice is intended to advise you of how your rights under the Fair Labor Standards Act ("FLSA") may be affected by this lawsuit and describe how to join this lawsuit, if you want to.

## 2. What Is This Lawsuit About?

Plaintiff, Kevin “Hank” Cervenka, filed this lawsuit individually and on behalf of other current and former delivery drivers against Jumpp for unlawfully: (1) misclassified as independent contractors; and (2) failed to pay all wages due, including overtime wages, as required by federal law. In addition to seeking recovery of unpaid wages, the lawsuit seeks recovery of liquidated damages (additional damages), attorneys’ fees, and costs.

Jumpp denies the allegations and disputes liability arising from the allegations.

The Court has authorized this notice, but the Court takes no position regarding the merits of the allegations or defenses and the Court has not ruled on the merits of the claims in this lawsuit.

## 3. How Do I Join This Lawsuit?

If you chose to join the lawsuit and make a claim for unpaid wages, you must sign and return the attached Consent Form to Plaintiff’s counsel (listed below). You may submit your signed consent electronically at [\[URL\]](#); by email at: [consents@herrmannlaw.com](mailto:consents@herrmannlaw.com), or by mail using the enclosed pre-stamped, self-addressed envelope to Plaintiff’s lawyers:

**Herrmann Law, PLLC**  
801 Cherry Street, Suite 2365  
Fort Worth, TX 76102  
Telephone: (817) 479-9229  
Fax: (817) 840-5102  
Email: [consents@herrmannlaw.com](mailto:consents@herrmannlaw.com)

**IF YOU WISH TO JOIN IN THIS LAWSUIT, YOU MUST READ, SIGN, AND RETURN THE ATTACHED CONSENT TO JOIN FORM BY [\[REDACTED\]](#).**

## 4. What Happens If I Join This Lawsuit?

By timely submitting the Consent to Join Form you will be part of this case and agree to be represented by the law firms of Herrmann Law, PLLC and Law Office of Jerry Murad.

If you join this lawsuit, you will be bound by the judgment of the Court, whether it is favorable or unfavorable to the plaintiffs. If plaintiffs win or a settlement is reached, you may be entitled to a sum as part of the judgment or settlement. However, if plaintiffs lose, you will receive nothing. In no event will anyone who joins this lawsuit owe any fees to the attorneys if no back wages are received or recovered.

If you decide to join the lawsuit, you may be required to answer written discovery questions, produce records and documents relating to your claim, testify at a deposition, testify at trial, or any combination of the above.

**Federal law prohibits Jumpp or anyone else from retaliating against you for exercising a legal right or attempting to prevent you from joining this lawsuit. If you suspect any retaliation, you should immediately contact the attorneys below by calling (817) 479-9229.**

## **5. What Happens If I Do Not Join This Lawsuit?**

By doing nothing, you are choosing not to participate in this lawsuit, and you will not be part of this case or be represented by Plaintiff's counsel. The decision to join is entirely yours.

If you do not to join, you will not be entitled to recover any money awarded whether through a settlement or judgment and you will not be bound by the judgment in this lawsuit or by the terms of a settlement (if one is reached) whether favorable or unfavorable. If you do not join this lawsuit, your rights to sue Jumpp separately at a future time, for the same or related claims, to the extent permitted by law will not be affected. However, there is a deadline (a/k/a "statute of limitations") requiring you to file claims by a certain time and the failure to file a claim within the deadline will result in your claims being time-barred.

## **6. How Do I Get More Information?**

You may call the Plaintiff's attorneys listed below to receive more information or with any questions you may have. You may also contact an attorney of your own choosing.

Drew N. Herrmann  
Pamela G. Herrmann  
**Herrmann Law, PLLC**  
801 Cherry Street, Suite 2365  
Fort Worth, TX 76102  
Telephone: (817) 479-9229  
Fax: (817) 840-5102  
Email: drew@herrmannlaw.com  
pamela@herrmannlaw.com

Jerry Murad, Jr.  
**Law Office of Jerry Murad**  
P.O. Box 470067  
Fort Worth, Texas 76147  
Telephone: (817) 335-5691  
Fax: (817) 870-1162  
Email: jerrymurad@mac.com

**CONSENT TO JOIN FLSA LAWSUIT**

By signing below, I hereby give my consent to participate in a collective action lawsuit against Jumps Logistics, LLC and Couch Goat Quandry, LLC (collectively, "Defendants"), to pursue claims of unpaid wages during the time that I was employed by the Defendants. I understand that this lawsuit is brought under the Fair Labor Standards Act, and I consent to be bound by the Court's decision or any settlement reached in this lawsuit.

By signing this consent, I designate the attorneys at Herrmann Law, PLLC and Law Office of Jerry Murad and any other attorneys with whom they may associate to pursue my claims for unpaid wages. I consent to having the Representative Plaintiff Cervenka and Plaintiffs' Counsel make decisions on my behalf regarding the litigation, the method and manner of conducting this litigation, the terms of any potential settlement in this litigation, entering into an agreement with Plaintiff's Counsel regarding representation, and all other matters pertaining to the lawsuit.

I understand that Plaintiff has entered into a Representation Agreement with the Law Firm. By signing this consent, I agree to be bound by the Representation Agreement. I understand that I may obtain a copy of the Representation Agreement by requesting it from the Law Firm.

I understand that the attorneys may, in the future, appoint other individuals to be Representative Plaintiff(s) in this litigation. I consent to such appointment and agree to be bound by the decisions of such new Representative Plaintiff(s) for all purposes related to this litigation.

I acknowledge that this consent will be filed to recover wages that I may be owed by Defendants, whether in this action or a subsequent action filed on my behalf for the recovery of my wage claim. If needed, I authorize the attorneys at Herrmann Law, PLLC to use this consent to re-file my claim in a separate or related action against Defendants.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**RETURN THIS FORM BY MAIL, EMAIL, OR FAX TO:**

**Herrmann Law, PLLC**  
801 Cherry Street, Suite 2365  
Fort Worth, TX 76102  
Telephone: (817) 479-9229  
Fax: (817) 840-5102  
Email: [consents@herrmannlaw.com](mailto:consents@herrmannlaw.com)

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:**

This information will be kept confidential and will not be made part of any public record. This information is necessary for your attorneys' files for litigation and possible settlement purposes.

Name: \_\_\_\_\_  
First Name Middle Initial Last Name

Any other Name(s) used or known by: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, & Zip Code: \_\_\_\_\_

Mobile Telephone: \_\_\_\_\_

Secondary Telephone: \_\_\_\_\_

Emergency Contact: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Estimated dates of employment with Jumpp: \_\_\_\_\_

All cities you made deliveries to or from: \_\_\_\_\_

\_\_\_\_\_

Average (Estimate) Number of Hours you worked each week for Jumpp: \_\_\_\_\_

**Return this form with your signed consent by [\_\_\_\_\_] to Plaintiff's counsel identified below, by mail, email, or fax to:**

**Herrmann Law, PLLC**  
801 Cherry Street, Suite 2365  
Fort Worth, TX 76102  
Telephone: (817) 479-9229  
Fax: (817) 840-5102  
Email: [consents@herrmannlaw.com](mailto:consents@herrmannlaw.com)